

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 16, 2024

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Misty Leanne Beck

Case Number: 0980 2:22CR00115-TOR-1

Address of Offender: [REDACTED], Spokane, Washington 99224

Name of Sentencing Judicial Officer: The Honorable Dana L. Christensen, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: December 16, 2016

Original Offense: Conspiracy to Distribute Methamphetamine, 21 U.S.C. §§ 846, 841(b)(1)(B)

Original Sentence: Prison - 72 Months;
TSR - 60 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: U.S. Attorney's Office

Date Supervision Commenced: January 14, 2022

Defense Attorney: Carter Liam Powers Beggs

Date Supervision Expires: January 13, 2027

PETITIONING THE COURT**To issue a SUMMONS.**

On August 3, 2022, Ms. Misty Beck signed her conditions relative to case number 2:22CR00115-TOR-1, indicating that she understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition #3:</u> You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
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Supporting Evidence: Ms. Misty Beck is alleged to have violated mandatory condition number 3, by ingesting methamphetamine and marijuana, previously occurring on or about December 19, 2023, based on sweat patch testing.

Specifically, on December 19, 2023, a sweat patch was applied on Ms. Beck for the purpose of ongoing drug monitoring. On December 26, 2023, Ms. Beck reported to the U.S. Probation Office in Spokane, for removal of the sweat patch as directed. Ms. Beck did indicate her continued sobriety during both application and removal of the device. Ms. Beck did express concern that she would test positive for illicit substances based on unintended exposure at her current place of employment. Ms. Beck was reassured that such exposure would not exceed the minimum levels required for confirmed positive testing, unless such exposure was of a significant and wilful nature.

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On January 8, 2024, the laboratory confirmation report specific to Ms. Beck's sweat patch was received by the U.S. Probation Office, confirming Ms. Beck's sweat patch was positive for both methamphetamine and marijuana. On January 9, 2024, Ms. Beck reported to the U.S. Probation Office as directed, and remained resolute in her denial of using either substance as identified during testing.

2 **Special Condition #6:** The defendant shall not purchase, possess, use, distribute or administer marijuana, or obtain or possess a medical marijuana card or prescription. This condition supersedes standard condition number 7 with respect to marijuana only.

Supporting Evidence: Ms. Misty Beck is alleged to have violated special condition number 6, by having a marijuana smoking device containing marijuana residue within her residence, previously occurring on December 6, 2023.

Specifically, on December 6, 2023, the undersigned officer conducted unscheduled home contact with Ms. Beck at her residence in Spokane. As a part of the walk through, the undersigned officer observed what appeared to be a marijuana smoking device on the shelf in her closet. The device clearly had marijuana residue remaining within the bowl of the device. Upon confronting Ms. Beck about the device, her husband took ownership for the device, stating that it was his and he had previously committed to keeping the device away from Ms. Beck in a locked storage container. Ms. Beck denied any use of the substance.

It should be noted that Ms. Beck did report to the U.S. Probation Office in Spokane, for urinalysis testing on December 7, 2023, as directed, and did provide a urinalysis sample that tested negative for illicit substances.

The U.S. Probation Office respectfully recommends the Court **issue a SUMMONS** requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 12, 2024

s/Chris Heinen

Chris Heinen
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Thomas O. Rice
United States District Judge

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Date